

CITY COUNCIL OF THE CITY OF ANNAPOLIS

ORDINANCE NO. O-21-10 Amended

Introduced by Mayor Cohen

LEGISLATIVE HISTORY			
First Reading:	Public Hearing:	Fiscal Impact Note:	180 Day Rule:
07/12/10	7/26/10	10/27/10	11/09/10
Referred to:	Referral Date:	Meeting Date:	Action Taken:
Environmental Matters	07/12/10	9/9/10	Favorable w/ Amd

AN ORDINANCE concerning

Comprehensive Revision to Building, Electrical, Gas, Mechanical and Plumbing Codes

FOR the purposes of revising the building, electrical, mechanical, and plumbing codes of the City of Annapolis to reflect the adoption of new international, standardized codes and best practice standards in the industry.

* * * * *

BY repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2010 Edition:

Chapter 17.12

Chapter 17.16

Chapter 17.18

Chapter 17.24

Chapter 17.28

Chapter 17.40

Chapter 17.44

* * * * *

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of Annapolis shall be amended to read as follows:

Chapter 17.12 BUILDING CODE

17.12.005 – Purpose and definition.

A. The purpose of this chapter is to protect the public health, safety and property and the general welfare of the community by establishing minimum standards for

construction and reconstruction of buildings and structures.

B. As used in this title, the term "Building Code" shall mean the applicable International or other building code adopted by the City as the particular circumstances may require unless otherwise expressly stated herein. The term "Building Code" as used in this title shall not be interpreted to refer solely to the code adopted in 17.12.010 unless the particular circumstances so require.

17.12.010 - International Building Code adopted.

A. The International Building Code/ 2006 ~~2009~~ Edition, as published by the International Code Council, Inc., is adopted as the Building Code of the City of Annapolis with the following amendments:

1. Section 400.4 ~~101.1~~ of the International Building Code is amended to insert "City of Annapolis" in the space indicated.

~~2. Sections 101.4.1, 101.4.2, 101.4.4, 101.4.6, 102.6 are deleted.~~

~~3~~ 2. Sections 103.1, 103.2, 103.3 of the International Building Code adopted in Section 17.12.010 are deleted and the following is substituted:

Section 103.0 Administration.

103.1 General. The Department of Neighborhood and Environmental Programs is responsible for the administration and enforcement of this code. The director of the department, or the director's designee, shall be the Code Official referred to in this code.

4. Strike Sections 105.2 and ~~105.2.3~~ of the International Building Code adopted in Section 17.12.010.

5. Strike Section 107.3 and substitute the following:

—National Electric Code

~~6. Table 503, ALLOWABLE HEIGHT AND BUILDING AREAS, shall be used to determine maximum allowable building height. However, in cases where the limits in this table conflict with the limits contained in Title 21, the more restrictive shall govern.~~

~~7~~ 5. In Table 503 in Type of Construction Type III, IV, and V for Groups A and B (other than detached accessory or uninhabitable structures):

~~a. All new uses when height is two stories or more shall be fully sprinklered in accordance with Chapter 17.20.~~

~~b. All existing uses when height is two stories or more that are altered and the value of construction exceeds fifty percent of the market value of the building or structure shall be fully (all levels, all spaces) sprinklered in accordance with Chapter 17.20.~~

~~c. All existing uses when height is two stories or more that are altered and the value of construction is less than fifty percent of the market value of the building or structure may be required to be sprinklered in accordance with Chapter 17.20.~~

~~d~~ a. Automatic fire sprinkler systems shall be installed and maintained in accordance with National Fire Protection Association (NFPA) Standard 13, 13D, or 13R as

referenced by the State of Maryland Fire Prevention Code, promulgated by the State Fire Prevention Commission adopted from time to time under authority of State law.

b. All existing uses when an attic space has been previously altered or when an attic space is to be altered for occupiable or habitable space then the attic floor shall be considered a story. When the attic has a fixed stair down to the lower level, then the attic may be considered a story.

c. Any existing building altered shall not exceed the height and area limitations for new buildings specified in Table 503 unless approved otherwise by the Code Official.

~~g. The Code Official shall have the authority to act on all matters concerning B1, B2, B3, B4 and B5 in the interest of public safety and welfare.~~

6. Insert the following footnote to Table 601, Fire Resistance Ratings Requirements for Buildings Elements:

h. For all types of construction, new and existing that are altered, and which are not subject to the installation of or upgrades to fire sprinkler systems in accordance with the provisions of Chapter 17.20 of this title, provide a minimum of one hour separation for walls, from foundation to underside of roof sheathing and for ceilings that have a floor assembly over unless approved otherwise by the Code Official.

7. Add the following footnotes to Table 602:

h. The table also applies to all existing uses that are proposed to be altered.

i. When a discrepancy exists or when the fire separation distance in feet is not provided, then the Code Official may require that a certified site drawing be submitted indicating the correct distance.

j. For clarification - the fire separation distance (feet) is measured from the wall opening to the abutting property line.

10. Strike Section 903.1 and substitute the following: "Automatic sprinkler systems shall comply with this Section and Chapter 17.20 of the Annapolis City Code."

11. At the end of Section 1101.1, after "disabled persons", insert "including all existing uses that are to be altered." All existing buildings or facilities that are to be altered shall follow the requirements set forth by the U.S. Architectural and Transportation Barriers Compliance Board, MD Accessibility Code, and the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for Buildings and Facilities. The required ADAAG form shall be submitted at the time of permit submission identifying the applicant's assessment of the required Americans with Disabilities Act (ADA) upgrades.

12. In Section 905.2, after "NFPA 14." insert "Standpipe systems, subject to the approval of the Fire Department, may be of the dry type without a permanent water supply."

13. Delete Section 3107.1.

14. In Sections 2909.1 and 3305.1, delete reference to "International Plumbing Code" and substitute "2003 National Standard Plumbing Code Illustrated as amended and City of Annapolis requirements.

15. Insert the following new section:

Section ~~109.7~~ **110.7** New—Entry. ~~The Code Official or his designee shall have the authority to enter at any reasonable hour any building, structure or premises occupied or vacant in the jurisdiction to inspect and enforce the provisions of the code and this chapter.~~

16. Strike Section ~~114.3~~ **115.3** Unlawful Continuance and substitute the following:

Section ~~114.3~~ **115.3** Unlawful Continuance. A person who ignores, defaces or removes a stop work order, unsafe order or an unfit order issued by the Code Official is guilty of a municipal infraction and is subject to a fine of five hundred dollars for any single violation and a fine of five hundred dollars for each repeat or continuing violation. All fines must be paid in full before the order will be lifted and any work can continue.

17. Delete Section ~~1026.4~~ **1029.1**, Exception 1, and add the following:

B. In the event of any inconsistencies between the provisions of the International Building Code and the City Code, the more stringent shall govern. A copy of the International Building Code is on file in the Department of Neighborhood and Environmental Programs.

17.12.018 - International Energy Conservation Code adopted.

A. The International Energy Conservation Code/ ~~2006~~ **2009** Edition as published by the International Code Council, Inc. is adopted as the Energy Code of the City of Annapolis for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of the building envelope, mechanical lighting and power systems in the City.

B. In the event of any inconsistencies between the provisions of the Energy Code and the City Code, the more stringent shall govern. The Code Official shall have the authority to act on any matters when there is a discrepancy or when the codes are silent. In the event of any inconsistencies between the provisions of the Building Code and the City Code, the more stringent code shall govern. A copy of the Energy Code is on file in the Department of Neighborhood and Environmental Programs.

17.12.020 - International Residential Code adopted.

A. The International Residential Code ~~2006~~ **2009** as published by the International Code Council, Inc. is adopted as the Residential Code of the City of Annapolis with the following amendment:

1. In Chapter ~~34~~ **15** add the following:

Section ~~P3115~~ **M1507** Bathroom and Toilet Room Ventilation. Every bathroom and toilet room shall be exhaust vented mechanically to outside air with rigid pipe sloped away from the exhaust fan towards the exterior. Existing bathrooms and toilet rooms that are altered or are part of other building alterations shall also be exhaust vented mechanically to outside air unless approved otherwise by the Director of Neighborhood

and Environmental Programs or his designee.

2. In Chapter 26 ~~29~~, add the following:

Section ~~P2609~~ **P2904** Fire Sprinkler systems required.

A. Fire sprinkler systems are required as follows when a building permit is requested of the City after September 30, 2007:

1. All new residential construction. New residential construction shall mean and include single-family, duplex, and multi-family residential buildings or structures, the placement of mobile or modular homes, and any existing residential building or structure that is ~~removed~~, renovated, refurbished, altered and/or an addition is made thereto provided the substantial quantity of new construction located within a dwelling unit exceeds 50% of value of construction, as a percentage of the assessed value of the structure or improvement as determined by the State Department of Assessments and Taxation, exceeds (a) 50% in the Historic District, or (b) 75% outside of the Historic District. Kitchen and/or bathroom replacements or alterations are exempt. Accessory or uninhabitable structures, such as carports, garages, greenhouses and sheds are excluded.

~~3~~ **2.** Automatic fire sprinkler systems shall be installed and maintained in accordance with Chapter 17.20 of the Code of the City of Annapolis.

B. In the event of any inconsistencies between the provisions of the International Residential Code and the City Code, the more stringent code shall govern. A copy of the International Residential Code is on file in the Department of Neighborhood and Environmental Programs.

17.12.022 - Building permit—Required.

A. All construction projects of a value of five hundred dollars or more shall require a building permit from the Director of Neighborhood and Environmental Programs or his or her designee. No building permit is needed, regardless of value, on residential construction projects that are non-structural like-kind replacements and/or repair of windows, doors and siding. All other applicable permits, regardless of value, such as plumbing, mechanical and electrical are still required.

B. All exterior projects in the Historic District, whether or not exempted from a building permit under subsection A of this section still require a certificate of approval in accordance with Chapter 21.62.

C. No building or structure shall be demolished or moved until a permit has been obtained from the Director or his or her designee. If in the judgment of the Director or his or her designee the proposed new location of the building or structure seriously would increase the fire hazard of the surrounding buildings or structures, a permit for moving the building shall not be issued.

17.12.024 – International Existing Building Code adopted.

The International Existing Building Code, 2009 Edition, as published by the International Code Council, Inc., is adopted as the Existing Building Code of the City of Annapolis.

17.12.024 17.12.026 - Building Code—Use and occupancy permit.

A. In accordance with the Building Code, a use and occupancy permit is required for all new construction and for structures undergoing alterations. Structures undergoing alterations shall be governed by Section 101.5 of the International Existing Building Code in applicable part. A use and occupancy permit is also required if there is a change of use or occupancy or ownership even if there is no construction or alteration. A use and occupancy permit is required if there is a change in ownership only if the Code Official determines that certain existing conditions pose an inimical threat to the public health, safety or welfare.

B. The inspection fees for the use and occupancy permit shall be paid at the time of the building permit application. The fees are nonrefundable and not transferable. The fee schedule shall be established by resolution of the City Council.

C. The use and occupancy permit shall be issued only after the Department of Public Works, ~~neighborhood and environmental programs~~ the Department of Neighborhood and Environmental Programs, the Department of Planning and Zoning, the Fire Department and the Health Department, where applicable, have inspected the site and verified that the structures and the site meet city standards and specifications, and are in accordance with the approved building permit application and the use requirements under Chapter 21.12.

D. The director or designee may suspend or revoke any use and occupancy permit for any violations of the City Code, for unsafe conditions, violations of the issued permits, failure to obtain final inspections and approvals and for misrepresentation of facts.

E. In addition to other remedies provided to the City by law, a person who violates this section shall be guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council. All fines must be paid in full prior to any further inspections being made and prior to any permit issuance.

17.12.030 - Applicability— New Construction. Alterations, repairs, renovation, modification, reconstruction.

~~A. The Building Code applies to all new construction and to all alterations repairs, renovation, modification, and reconstruction which includes the structural strength, fire hazard, exits, lighting, heat, ventilation, electrical and sanitary conditions of any building or structure in excess of five hundred dollars, with the exception of painting.~~

~~B. Building permits are required for all construction and alterations noted in subsection~~

~~A.~~

Notwithstanding any other provision in this title, and consistent with section 104.10 of the International Building Code, wherever there are practical difficulties in carrying out the provisions of the Building Code, the Code Official shall have the authority to grant modifications in individual cases, provided that the Code Official shall find that particular individual circumstances make compliance with

the strict letter of the Building Code impractical, that the modification is in compliance with the intent and purpose of the Building Code, and that the modification does not jeopardize health, accessibility, life and fire safety, or structural requirements. Such modifications shall be considered and decided by the Code Official following an applicant's written request for and substantiation of the need for such modifications.

17.12.040 - Applicability—Change of use/occupant/owner.

~~The current Building Code applies to all buildings which are to be devoted to a new use, occupant, tenant, and/ or owner, for which the requirements of the current Building Code are in any way more stringent than the requirements covering the previous use of the building.~~

17.12.042 - Dangerous structural condition.

A building, structure, or chimney, or part of a building, structure, or chimney, in a dilapidated or unsafe condition and which, in the opinion of the Director of ~~Public Works~~ the Department of Neighborhood and Environmental Programs or his or her designee, may possibly cause injury to persons or property, is a nuisance and shall be razed or abated by the owner within seventy-two hours after notice to do so has been given to the owner by the director. The owner is required to apply for a building permit as per Section 17.12.056(C). If the owner, within seventy-two hours after receipt of the notice, has not razed the building, structure or chimney, or otherwise abated the nuisance, the owner is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council, and the nuisance shall be abated by the director or his or her designee at the expense of the owner. The director or his or her designee may in the interest of safety disconnect water, gas, and electric service to the building or structure.

17.12.050 - Building permit—Application.

A. Both the owner of the property and the contractor engaged to do the work equally are responsible for obtaining the required building permit.

B. No building permit shall be issued prior to the issuance of a grading permit, where applicable under Chapter 17.08.

C. Before any permit required by Section 17.12.022 shall be issued, the applicant shall file with the Department of Neighborhood and Environmental Programs verification from the City Finance Director that the applicant has paid all applicable Anne Arundel County School impact fees, or proof that the project is not subject to the County's school impact fees.

17.12.052 - Building permit—Plans and specifications.

A. Before any permit required by Sections 17.12.022 and 17.12.030 shall be issued the applicant shall file an application with construction drawings supported by an affidavit, which specifies the contract price of the construction in its entirety, the type of building, structure or alteration to be erected or made, the material to be used, the number of

1 stories and the dimensions of the building or area to which alterations will be made. If
2 the permit is for the interior or exterior alteration of an existing building or structure,
3 construction drawings shall be submitted showing the nature and location of all
4 alterations unless approved otherwise.

5 B. The building permit application shall also include those plans and specifications as
6 required and as detailed in Section 17.08.060. At a minimum, the application shall be
7 accompanied by a scaled drawing showing the proposed location of the building on the
8 lot and the front yard, side yard and rear yard dimensions to the property line.

9 C. No permit for a public ~~commercial~~ building or structure or building or structure to be
10 used for a public assembly shall be issued unless construction drawings and
11 specifications, drawn and certified by an architect or engineer registered under the laws
12 of the State of Maryland, are submitted. Certified construction drawings and
13 specifications shall be submitted with permit application for all other buildings or
14 structures, unless approved otherwise by the building official.

15 D. All construction drawings and specifications submitted with a permit application
16 which indicates they have been completed by an architect or engineer shall be certified
17 on each drawing and specification with the architect's or engineer's Maryland seal,
18 signature and date.

19 E. All structural evaluations including drawings shall be certified by a Maryland
20 Structural Engineer or Architect.

21 F. All new and revised construction drawings and submittals requiring review shall pay
22 a fee per schedule as established by resolution of the City Council.

23 24 **17.12.053 - Building Contractor license.**

25
26 A. No person shall perform work as a building contractor, general contractor, or home
27 improvement contractor in the City of Annapolis without first applying for and receiving a
28 license from the State of Maryland and/or the Maryland Home Improvement
29 Commission.

30 ~~B. No person shall do work as a building contractor, general contractor, demolition~~
31 ~~contractor, or home improvement contractor in the City of Annapolis without first~~
32 ~~applying for and receiving a license from the Director of Neighborhood and~~
33 ~~Environmental Programs or his or her designee upon payment of a fee as established~~
34 ~~by resolution of the City Council. Specific types of licenses shall be as per the~~
35 ~~requirements as established by the Director of Neighborhood and Environmental~~
36 ~~Programs or his or her designee. Issued licenses are not transferrable for any reason.~~
37 ~~All fees are nonrefundable.~~

38 ~~B.~~ **B.** Suspension, Revocation of Permit Licenses and Withholding Permit Applications.
39 The director or his or her designee may withhold permit applications or may suspend or
40 revoke any issued city permits or licenses for any irregularities in installation, for unsafe
41 or unworkmanlike installation, misrepresentation of facts, failure to obtain permits,
42 failure to obtain required inspections, ignoring or defacing stop work orders, illegal
43 occupancy, failure to maintain a valid Maryland State license or for any violations of the
44 Building Code and this chapter. No person shall use the name or license of another
45 contractor directly or indirectly to obtain a permit, send in notices, make returns or to do
46 any work under another person's license.

47
48 ~~D.~~ **C.** Violation. A person who violates this section is guilty of a municipal infraction and

is subject to a fine as established by resolution of the City Council.

~~17.12.054 - Building numbering.~~

~~(Repealed by O-38-01 § 1)~~

17.12.055 - Display of address.

A. The owners of any improved property shall post on or about the property numbers or letters designating the address assigned to the property.

B. The number or letters shall be at least three inches high, displayed on a contrasting background, and posted in order to be unobstructed and clearly legible from the street named in the address of the property.

C. In addition to the requirements of subsection B of this section:

1. For a multifamily structure (six units or more):

a. The address shall be affixed to the structure in numbers or letters at least six inches high and shall be clearly legible from the street or public way; and

b. The designation of each dwelling unit shall be affixed to the exterior door of the unit with numbers or letters at least three inches high; and

2. For commercial property, the address shall be displayed in numbers or letters at least six inches high.

D. An authorized representative of the Departments of Police, Fire, Neighborhood and Environmental Programs, or Planning and Zoning may cite an owner for violation of the provisions of this section.

E. Owners of existing improved property shall have thirty days from the notification date to comply with the requirements of this section.

F. Violators of the provisions of this section are guilty of a municipal infraction and subject to a fine as established by resolution of the City Council.

~~G. When an error or irregularity exists in the numbering of a house or other building, or when a structure is without a number in any street, lane, court or ally, the Director or designee shall notify the owner of the house or other building of the error or irregularity in or absence of a number, and also shall provide the owner with the correct number of the house or building.~~

~~H. No builder, owner, occupant or other person shall place a number on any new building, or alter the number of any existing building, until the director or designee has designated the correct number of the house or building.~~

17.12.056 - Building permit—Fees—Reinspection.

A. The fee for a building permit shall be based on the estimated value of the work in accordance with the schedule set out in subsection B of this section. Computation of the estimated value must include the fair market value of all construction of work for which the permit is issued, including all painting, siding, windows, roofing, electrical work, plumbing, heating/air conditioning equipment, elevator equipment, fire sprinkler equipment and any other permanent portions or permanent equipment essential to the operation of the building. Equipment required for manufacturing or other special occupancy, land value and development costs are excluded from the computation of fair market value. The minimum acceptable valuation for new buildings shall be based on

the current market value as determined by the Department of Neighborhood and Environmental Programs.

B. Nonrefundable application fees and building permit fees shall be established by resolution of the City Council.

1. The application fee will not be refundable for any reason except if the permit application has been denied. The application fee will be applied to the final cost of the building permit at the time of issuance per the procedures as established by the Department of Neighborhood and Environmental Programs.

C. A fee as established by resolution of the City Council for residential properties and commercial properties shall be charged for:

1. Moving a building, regardless of the value or size of the building;

2. Demolishing a building, regardless of the value or size of the building;

3. Moving, hauling or transporting an oversize load.

D. A person who moves or demolishes a building or transports an oversize load without a permit is guilty of a municipal infraction and is subject to a fine as established by resolution of the City.

E. A monetary guarantee for the work will be executed by the applicant to ensure that upon demolition or moving of a building, all associated utilities have been inactivated and capped in a proper and safe manner.

F. Reinspection Fee. A fee as established by resolution of the City Council must be paid before another inspection is made if, for the original inspection, one or more of the following occurred:

1. Requesting party called for inspection, but work was not ready;

2. Requesting party was not on site;

3. Building was locked;

4. Safety features not on site;

5. Approved drawings not on site.

17.12.058 - Approval—Commencing work—Expiration.

A. Upon approval of a building permit, the applicant shall be provided verbal or written notification to the address specified on the application that the permit has been approved and is available for issuance.

B. A building permit is void unless issued within thirty days from the date of the notification to the applicant pursuant to subsection A of this section.

C. A building permit is void unless construction for which the permit has been issued is commenced within a period of forty-five days after issuance or if the authorized work is suspended or abandoned for a period of sixty days after the time of commencing the work, unless approved otherwise by the Director of the Department of Neighborhood and Environmental Programs or his designee.

D. A building permit shall be valid for two years from the date of issuance, unless a shorter time period is designated by the Director or designee.

E. Demolition, tent and special permits shall be valid for the time period as established by the Director or designee.

F. The issued permit card must be posted within twenty-four hours of the issuance and made visible from the fronting roadway or street. The permit card shall be posted regardless of construction start date and remain for the duration of the project. Owner/contractor is responsible for protecting the card from damage.

G. The Code Official may require the owner to provide a monetary guarantee in the form of a certified check, letter of credit or performance bond for specific permits to guarantee completion of the work under agreement with the City.

H. The Director may renew a building permit for an additional six month period if the applicant:

1. Makes written request for the renewal prior to the expiration date of the permit; and

2. Provides written justification, satisfactory to the Director, that work could not be completed prior to the expiration date of the permit because of circumstances beyond the control of the applicant.

I. A building permit may not be renewed more than twice for a total of one year, unless approved otherwise by the Department of Neighborhood and Environmental Programs.

J. If the building permit is to be renewed more than twice, all permit paperwork and applicable surety, shall be updated to Department of Neighborhood and Environmental Programs requirements and all permit fees shall be repaid in full prior to renewal.

K. Work Hours. No construction work or machinery shall start prior to seven a.m. and shall finish up no later than dusk and there shall be no outside Sunday work unless specifically approved otherwise.

L. A person who violates this section is guilty of a municipal infraction and is subject to a fine of one hundred dollars for any single, initial violation and a fine of two hundred dollars for each repeat or continuing violation.

17.12.060 - Enforcement.

The enforcement of the Building Code is the duty of the Director of Neighborhood and Environmental Programs or his or her designee.

17.12.062 - Unapproved construction.

A. A person who commences any building, structure, or any construction without prior receipt of a required building permit is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council.

B. Structures erected or alterations completed without a permit as required by this chapter shall be removed by the person erecting the structures or completed alterations when ordered to do so by the enforcing officer.

C. Whenever in the judgment of the Director of Neighborhood and Environmental Programs, an emergency exists which requires immediate action to protect the public safety or welfare, an order may be issued without notice, conference or hearing, directing the owner, occupant, operator, agent or licensee to take whatever action is appropriate to correct or abate the emergency. If circumstances warrant, the director or his or her designee may act to correct or abate the emergency.

D. All costs incurred for the emergency action or abatement shall be recovered from the owner in the form of a lien on the property and collectible in the same manner as delinquent taxes.

17.12.064 - Suspension or revocation of permit.

Any person who causes any irregularities in construction or unsafe or unworkmanlike construction, fails to obtain required inspections, misrepresents facts or is responsible

1 for any other violation of the Building Code is guilty of a municipal infraction and is
2 subject to a fine, suspension of building permits, or revocation of a building permit as
3 established by resolution of the City Council.

4
5 **~~17.12.066 - Grade of street—City to provide.~~**

6
7 ~~When any license or permit is issued under this title, the party to whom the license or~~
8 ~~permit is issued is entitled to be furnished with the grade line of the street by the director~~
9 ~~or his or her designee.~~

10
11 **~~17.12.070 - Section 100.1 amended.~~**

12
13 ~~(Repealed by O-28-04)~~

14
15 **~~17.12.072 - Section 103.4 amended.~~**

16
17 ~~(Repealed by O-54-95)~~

18
19 **~~17.12.074 - Sections 101.4.1, 101.4.2, 101.4.4, 101.4.6, 102.6 deleted.~~**

20
21 ~~(Repealed by O-28-04)~~

22
23 **~~17.12.080 - Sections 103.1, 103.2, 103.3 replaced.~~**

24
25 ~~(Repealed by O-28-04)~~

26
27 **~~17.12.082 - Sections 105.2 and 105.2.3 deleted.~~**

28
29 ~~(Repealed by O-28-04)~~

30
31 **~~17.12.090 - Section 109.7 new—Entry.~~**

32
33 ~~(Repealed by O-28-04)~~

34
35 **~~17.12.092 - Unlawful continuance.~~**

36
37 ~~(Repealed by O-28-04)~~

38
39 **~~17.12.100 - Section 116.4 amended.~~**

40
41 ~~(Repealed by O-38-01 § 1)~~

42
43 **~~17.12.102 - Section 117.2 amended.~~**

44
45 ~~(Repealed by O-38-01 § 1)~~

46
47 **~~17.12.110 - Section 123.0 deleted.~~**

48

1 ~~(Repealed by O-54-95)~~

2
3 ~~**17.12.120 - Section 112.0 amended.**~~

4
5 ~~(Repealed by O-28-04)~~

6
7 ~~**17.12.130 - Sections 112.1, 112.2, and 112.3 replaced and new 112.8.**~~

8
9 ~~(Repealed by O-28-04)~~

10
11 ~~**17.12.140 - Section 121.2.2 deleted.**~~

12
13 ~~(Repealed by O-38-01 § 1)~~

14
15 ~~**17.12.150 - Section 121.2.3 replaced.**~~

16
17 ~~(Repealed by O-38-01 § 1)~~

18
19 ~~**17.12.152 - Section 121.2.5 amended.**~~

20
21 ~~(Repealed by O-38-01 § 1)~~

22
23 ~~**17.12.160 - Section 121.2.4 deleted.**~~

24
25 ~~(Repealed by O-38-01 § 1)~~

26
27 ~~**17.12.170 - Section 121.2.6 replaced.**~~

28
29 ~~(Repealed by O-38-01 § 1)~~

30
31 ~~**17.12.180 - Section 121.7 replaced.**~~

32
33 ~~(Repealed by O-38-01 § 1)~~

34
35 ~~**17.12.182 - International Building Code Table 503, Allowable Height and Building**~~
36 ~~**Area amended.**~~

37
38 ~~(Repealed by O-28-04)~~

39
40 ~~**17.12.184 - International Building Code amended.**~~

41
42 ~~(Repealed by O-28-04)~~

43
44 ~~**17.12.186 - International Building Code amended.**~~

45
46 ~~(Repealed by O-28-04)~~

47
48 ~~**17.12.187 - International Building Code amended.**~~

1
2 (~~Repealed by O-28-04~~)

3
4 ~~17.12.188 – International Building Code amended.~~

5
6 (~~Repealed by O-28-04~~)

7
8 ~~17.12.189 – International Building Code amended.~~

9
10 (~~Repealed by O-28-04~~)

11
12 ~~17.12.190 – Section 3406 replaced.~~

13
14 (~~Repealed by O-38-01 § 1~~)

15
16 ~~17.12.200 – Section 804.2.1 amended.~~

17
18 (~~Repealed by O-54-95~~)

19
20 ~~17.12.210 – Section 1009.1.~~

21
22 (~~Repealed by O-28-04~~)

23
24 ~~17.12.220 – Section 905.2 amended.~~

25
26 (~~Repealed by O-28-04~~)

27
28 ~~17.12.230 – Section 3107.1, Signs, deleted.~~

29
30 (~~Repealed by O-28-04~~)

31
32 ~~17.12.240 – Section 3305.1—Sanitary.~~

33
34 (~~Repealed by O-28-04~~)

35
36 ~~17.12.250 – Section 1607—Structural design.~~

37
38 (~~Repealed by O-28-04~~)

39
40 ~~17.12.260 – Section 1805—Footings and foundations.~~

41
42 (~~Repealed by O-28-04~~)

43
44 ~~17.12.270 – Chapter 27—Electrical.~~

45
46 (~~Repealed by O-28-04~~)

47
48 ~~17.12.280 – Chapter 29—Plumbing systems.~~

~~(Repealed by O-28-04)~~

~~**17.12.290 - Section 3109 - Swimming pools.**~~

~~(Repealed by O-28-04)~~

~~**17.12.300 - Chapter 34 - Existing structures.**~~

~~(Repealed by O-28-04)~~

~~**17.12.310 - Section 3103.5 - Temporary structures.**~~

~~(Repealed by O-28-04)~~

~~**17.12.320 - Section 3408 - Accessibility for existing buildings.**~~

~~(Repealed by O-28-04)~~

Chapter 17.14 - GREEN BUILDINGS: ENERGY EFFICIENCY AND ENVIRONMENTAL DESIGN

17.14.040 - Standards and requirements.

A. Any new construction of or major modification to a commercial or mixed use building of greater than seven thousand five hundred square feet of gross floor area must achieve:

1. A certified-level rating in the appropriate LEED rating system, as certified by the Green Building Council; or
2. A certified-level rating in the appropriate LEED rating system as verified by the Director or a qualified person approved by the Director; or
3. Energy and environmental design standards that the Director identifies as equivalent to certified-level rating in the appropriate LEED rating system, as verified by the Director or a qualified person approved by the Director.

B. Any new construction of or major modification to a public building, regardless of size, must achieve, at a minimum:

1. A silver level rating in the appropriate LEED rating system, as certified by the Green Building Council; or
2. A silver level rating in the appropriate LEED rating system as verified by the Director or a qualified person approved by the Director; or
3. Energy and environmental design standards that the Director identifies as equivalent to a silver level rating in the appropriate LEED rating system, as verified by the Director or a qualified person approved by the Director.

C. Any new construction of or major modification to five or more single family or attached homes on one lot or as a subdivision, and any single family home in excess of three thousand two hundred fifty square feet in size, must achieve:

1. A certified-level rating in the appropriate LEED rating system as certified by the Green Building Council; or

2. A certified-level rating in the appropriate LEED rating system as verified by the Director or a qualified person approved by the Director; or
3. A bronze-level rating in the National Green Building Standard (NGBS) ICC 700-2008 as verified by the Director or a qualified person approved by the director; or
- 3 4. Energy and environmental design standards that the Director identifies as equivalent to a certified-level rating in the appropriate LEED rating system or a bronze-level rating in the NGBS IC 700-2008, as verified by the Director or a qualified person approved by the Director.

Chapter 7.16 – ELECTRICAL CODE

17.16.010 - National Electrical Code adopted.

The National Electrical Code, 2002 2008 Edition, published by the National Fire Protection Association (NFPA #70), a copy of which is on file, is adopted as the Electrical Code of the City of Annapolis with the following amendments:

A.

~~Section 394.10 of the National Electrical Code is deleted~~ Strike section 394.10 of the National Electrical Code and insert the following:

Uses permitted: Existing concealed knob-and-tube wiring shall be permitted to remain in use unless the Authority having jurisdiction deems the wiring unsafe.

B.

Strike Section 394.12 and insert the following:

Section 324-4 394.12 Uses Not Permitted. Concealed knob-and-tube wiring shall not be installed, modified or extended for all new or existing uses, under new work, remodel, renovations, alterations and additions.

Strike section 760.53(a) and insert the following

(1) Exposed or concealed behind suspended ceilings. Cable shall not be installed, exposed, or concealed unless that are installed in listed raceways or conduits.

Strike section 760.130 (B)(1) and insert the following:

(1) Exposed or concealed behind suspended ceilings. Cables shall not be installed, exposed, or concealed unless they are installed in listed raceways or conduits.

C.

Insert the following new sections:

Section 110.12 (C) Abandoned Cables

The accessible portions of abandoned cables, conduits, and raceways shall be removed.

Section ~~384-28~~ 408.59 Switchboards of one thousand amperes or larger.

A. Switchboards having a capacity of one thousand amperes or larger shall receive periodic cleaning and preventative maintenance minimum every ~~three~~ five years to minimize the possibility of fire or catastrophic failure. Cleaning and maintenance schedule includes coordination of shut down with the utility company and shall include the following requirements:

1. Vacuum entire interior of switchboard or gear;
2. Clean bussbars and contacts with suitable nonconductive solvent;
3. Lubricate all moving mechanisms;
4. Check conductors for abrasions;
5. Torque bussbars and conductors connections to manufacturer recommended specifications;
6. Replace ~~work~~ worn, damaged or deteriorating components;
7. Submit report of preventive maintenance performed to electrical inspector within thirty days.

B. Prior to the issuance of a preventative maintenance electrical permit the licensed electrician shall receive a preventative maintenance summary of requirements on forms established by the Department of Neighborhood and Environmental Programs which shall be completed and returned for approval.

C. Fees. A fee as established by resolution of the City Council shall apply to a preventative maintenance electrical permit.

D. Violation—Penalty. A person who violates this section is subject to penalties established under Section 17.16.110.

Section 555.19(A)(3)(a).

Shore power receptacles shall not be supplied by voltages other than 120/240 volt single phase service types for line to line loads.

17.16.015 - National Electrical Safety Code adopted.

The National Electrical Safety Code, ~~2002~~ 2007 Edition, published by the IEEE, a copy of which is on file, is adopted as the Electrical Safety Code for the City of Annapolis.

17.16.020 - Applicability.

This chapter applies to all electrical equipment and the installation of electrical equipment for light, heat or power within or upon public or private buildings, structures or premises, alteration to existing installations of electric wiring or equipment, including yards, carnivals and parking lots, and industrial substations, and all electrical equipment, and the installation of the equipment, used for power supply to radio and television transmitting and receiving systems in or upon the buildings, structures or premises. This chapter does not apply to the following:

- A. Employees or agents of electric light and power companies, electric railway companies or telegraph or telephone companies, while performing work on such companies' own buildings, plants, installations or systems;
- B. Employees of the State or the United States Government, while performing work on State or Federal buildings, plants, installations or systems;
- C. Persons making electrical installations in ships, boats, automobiles, trucks or other vehicles, other than trailers being used for residential or office use, or repairing any equipment installed upon or in any of them;
- D. Persons who perform any of the work mentioned or enumerated in this section as an apprentice, journeyman or helper under the direction and supervision of a master electrician or restricted electrician, whichever is applicable, licensed under the laws of the City of Annapolis. The work performed shall be the responsibility of the licensee.

17.16.025 - Definitions.

The following words, terms, and phrases, when used in this title shall have the meanings ascribed to them in this section, unless the context clearly indicates another different meaning or intent:

- A. "Electrical contractor" means a person licensed in the City of Annapolis to engage in the business of contracting to perform electrical work.
- B. "Electrical contractor limited" means a person licensed to engage in the business of contracting to perform electrical work of a limited type (such as, but not limited to, burglar and holdup alarm, communications, elevators, gas pumps, heating and air conditioning, remote control, signaling, signs or x-rays).
- C. "Electrical work" means the installation, erection or repair of:
 - 1. Electrical wires, or conductors, or fiber optic cables to be used for the transmission of electric power or light for communications, electrical light lighting, heat heating or other power consuming purposes;
 - 2. Moldings, ducts, raceways or other conduits for the reception or protection of such wires or conductors;
 - 3. Any electrical machinery, fixed appliance or other device, fixture or associated hardware to be used for communication, light, heat or other power consuming purpose if directly connected to the power supply by a permanent connection.
- D. "Master electrician" means an individual licensed under this title who personally supervises, directs, and can perform electrical work of all types.
- E. "Master electrician limited" means a person licensed under this title who personally supervises, directs, and can perform electrical work of a limited type (such as, but not limited to, burglar and holdup alarms, communications).

F. "Restricted electrician" means all persons who are qualified only to repair or to provide maintenance service to the electrical components of specific devices which utilize electrical current for their operation. A restricted electrician shall be limited to performing electrical repair and maintenance work upon a specific type of device and the circuit pertaining to that specific device. Such licensee shall not be privileged to perform electrical wiring unless a fuse holder for the specific device is available in the main electrical service or provided by a master electrician. Under no conditions shall such licensee connect the specific device if an overload will develop in the main electrical service. Some examples of this type of work are, but not limited to: elevator, gas pumps, heating and air conditioning, signs or x-ray equipment.

17.16.030 - Electrical permit—Required.

A. Except as provided otherwise in this chapter, no person shall make any installation of electrical equipment or perform any electrical work which is subject to this chapter without first obtaining a permit from the Department of Neighborhood and Environmental Programs. No permit shall be required to repair portable electrical equipment or lighting fixtures, or to repair or replace sockets, receptacles or snap switches, or to make other minor repairs at existing outlets, or to repair motors, or to replace motors with motors of the same horsepower rating.

B. All applications for permits shall be submitted in writing on forms prescribed by the Director of Neighborhood and Environmental Programs or his or her designee and shall be signed by a currently licensed master electrician ~~or when applicable a registered electrician~~, master electrician limited, or restricted electrician of record.

C. An electrical permit is void unless work for which the permit has been issued is commenced within a period of ninety days after issuance or if the authorized works is suspended or abandoned for a period of six months after the time of commencing the work. The maximum duration of an electrical permit is two years from the issue date, except if related to a building permit the electrical permit shall expire on expiration of the building permit unless specified otherwise.

D. The director or his or her designee may renew an electrical permit for an additional one hundred twenty day period if the applicant:

1. Makes written request for the renewal prior to the expiration of the first one hundred twenty day period; and
2. Provides written justification, satisfactory to the director or his or her designee, that work could not be commenced within the initial one hundred twenty day period because of circumstances beyond the control of the applicant.

E. Suspension, Revocation of Permit and Withholding Applications. The director or his or her designee may withhold permit application, future inspections or may suspend or revoke any electrical permits for any irregularities in installation, for unsafe or unworkmanlike installation, for failure to obtain required inspections or for any violations of the Electrical Code and this chapter.

F. Issued permits are not transferable for any reason.

17.16.040 - Electrical permit and inspection fees.

All fees are payable in full at the time of issuance of the permit. All fees are nonrefundable.

1 A. Permit fees as established by resolution of the City Council shall apply to new
2 construction only.

3 B. Permit fees as established by resolution of the City Council shall apply to additions,
4 alterations or repairs to existing structures or services.

5 C. Permit fees as established by resolution of the City Council shall apply to all other
6 work and conditions in addition to subsections A and B.

7 1. Reinspection Fee. A fee as established by resolution of the City Council must be
8 paid before another inspection is made if, for the original inspection, one or more of the
9 following occurred:

10 a. Requesting party called for inspection, but work was not ready;

11 b. Requesting party was not on site;

12 c. Building was locked;

13 d. Safety features not on site;

14 e. Approved drawings not on site.

15 2. Failure to Notify. There shall be a fee as established by resolution of the City Council
16 charged whenever the licensee fails to notify the department within the prescribed time
17 that the work authorized by this subtitle is complete.

18 3. Investigation Fee. Whenever any work for which a permit is required under this code
19 has been commenced without authorization of such permit, a special investigation shall
20 be made before a permit may be issued for such work. In addition to the regular permit
21 fee or any penalty fees, an investigation fee as established by resolution of the City
22 Council shall be collected.

23
24 **17.16.050 - Standards.**

25
26 A. Electric Installation Standards. Conformance of installation of electric conductors
27 and equipment to 2002 Edition of the National Electrical Safety Code and the 2002
28 2008 National Electrical Code (NFPA 70) shall be the prima facie evidence that such
29 installations are reasonably safe for use in the service intended and in compliance with
30 the provisions of this Code.

31 B. Electric Equipment Standards. The materials, appliances, and other equipment listed
32 in published reports of inspected electrical equipment by the Underwriters Laboratories,
33 Inc. (UL), and other nationally recognized testing laboratories, and installed in
34 accordance with any instructions included as part of such listing, shall be approved as
35 meeting the requirements of this Code.

36 C. Clearances. It shall be the responsibility of the property owner or the owners'
37 authorized agent to coordinate with all overhead utility companies prior to construction
38 to certify that the proposed building or structure adjacent to any overhead high voltage
39 electric lines will not violate the National Electrical Safety Code Standards on
40 clearances of conductors.

41
42 **17.16.060 - Plans and specifications.**

43
44 A. General. Plans, specifications and schedules in sufficient detail shall be filed with the
45 Code Official showing the location and capacity of all lighting facilities, electrically
46 operated equipment and electrical circuits required for all service equipment of the
47 buildings or structure except as modified by the Code Official.
48

B. Items Covered. All electrically controlled devices, including signal, communicating and lighting systems and their wiring, whenever required under the provisions of this code shall be shown on the plans and elevations of the building or structure with respect to those uses covered by the following:

~~1. Emergency and Hazard Use Lighting. Places of public assembly and education and control of emergency lighting systems;~~

~~2. Exit and Elevator Lighting. Stairway and exit illumination;~~

~~3. Service Equipment. Electrical equipment and control of heating, refrigerating and ventilating machinery and devices;~~

~~4. Fire Alarm and Signal Systems. Fire alarm signal systems, Fire Department communication and supervisory service;~~

~~5. Construction Operations. Temporary construction lighting requirements equivalent to a minimum of three foot candles (32.29 LUX);~~

~~6. Signs and Towers. Wiring of a display sign;~~

~~7. Elevators and Moving Stairways. Power control electric operation and circuit wiring of elevators and escalators;~~

~~8. Toilets and Bathrooms. Illumination of toilets and bathrooms equivalent to a minimum three foot candles (32.29 LUX).~~

1. Lighting;

2. Exit and emergency lighting;

3. Service equipment;

4. Electrical equipment and control of heating, refrigeration, and ventilating machinery and devices;

5. Fire alarm and signal systems. Fire alarm signal systems, fire department communication and supervisory service;

6. Construction operations. Temporary construction lighting requirement equivalent to a minimum of three foot candles (32.29 LUX);

7. Signs and Towers. Wiring of a display sign;

8. Elevators and moving stairways. Power control electric operation and circuit wiring of elevators and escalators.

17.16.070 - Inspection and tests.

~~A. The Code Official shall have the authority to enter at any reasonable hour any building, structure or premises in the jurisdiction to inspect and enforce the provisions of the code and this chapter.~~

~~B A. During Installation. During the installation of electric systems and equipment, the Code Official shall make inspections to insure compliance with the provisions of this chapter.~~

~~C B. Concealing Work. Work in connection with an electric system shall not be covered or concealed until it has been inspected and permission to conceal has been approved.~~

~~D C. Final Inspection and Test. On completion of the work, the Code Official shall inspect the work and cause tests to be made of the operation of the entire system to insure compliance with all requirements~~ **conduct final inspection.**

~~E D. No electric wiring shall be installed in new or remodeled residential or commercial dwellings until the dwellings are weathertight with all skylights, roof shingles, windows and doors installed.~~

~~F E. No aluminum conductors or copperclad aluminum conductors smaller than number~~

1 six A.W.G. shall be installed in any installations.

2 ~~G. Where building permits are issued for all existing residential dwelling construction~~
3 ~~including remodeling, renovations, additions, alterations, etc. hardwired electric smoke~~
4 ~~detectors with battery back up may be required to be installed at all levels within the~~
5 ~~dwelling. All new construction shall comply with the National Fire Alarm Code NFPA 72~~
6 ~~and the 2003 International Building Code, except for unheated areas of the dwelling~~
7 ~~such as cellars and attics.~~

9 **17.16.080 - Temporary use.**

10
11 Permission. The Code Official is authorized to give temporary permission for a
12 reasonable time to supply and use current in part of an electric installation before such
13 installation has been fully completed and the final certificate of approval has been
14 issued. The part covered by the temporary certificate shall comply with all the
15 requirements specified for temporary lighting, heat or power in the 2002 2008 National
16 Electrical Code (NFPA #70).

18 **17.16.090 - Existing installations.**

19
20 A. General. Alterations shall not be made to any existing installations of electric wiring
21 or equipment for which a permit is required within or on any building, structure or
22 premises, without first securing the approval and a permit from the Code Official.

23 B. Defective Wiring. If, upon inspection, an electric wiring system is found defective and
24 unsafe, the Code Official shall revoke all certificates and permits in effect. Use of such
25 system shall be discontinued until it has been made to conform to this chapter and after
26 a new permit has been issued.

27 C. Additional Loads. When additional electrical loads are to be connected to existing
28 service in buildings or structures, the existing load shall be established as not less than
29 the actual maximum demand figures. New loads shall be computed in accordance with
30 the requirements of the National Electrical Code (NFPA #70).

31 D. Safety. In the interest of safety, the Code Official may inspect any existing building,
32 dwelling, structure or equipment as required at any time even if no electrical work or
33 changes are proposed.

35 **17.16.100 - Emergency electrical systems.**

36
37 A. General. Emergency electrical systems are those systems required to automatically
38 supply power for illumination and equipment in the event of failure of the normal power
39 supply. The emergency electrical system shall conform to NFPA 70 NFPA #70 and
40 NEC, except as otherwise provided herein. The systems shall pickup their connected
41 loads within ten seconds after failure of the normal power supply and shall operate
42 under all weather conditions.

43 B. In buildings with a gross occupant load in excess of five hundred persons, that
44 contain one or more of the following, shall be required to have an emergency electrical
45 system installed according to the requirements of the National Electrical Code (NFPA
46 #70):

- 47 1. Electric fire pumps;
- 48 2. Smoke removal or smoke containment systems.

C. Capacity. The emergency systems shall have the capacity to operate equipment such as egress lighting, fire pumps, smoke control systems, and any other emergency equipment as required by other applicable codes.

D. Power Source. The emergency electrical system shall not be connected to a standby power system unless the load pickup time complies with Section A, general and the standby system is sized for the additional load.

~~17.16.102 - Section 324-3 deleted.~~

~~(Repealed by O-28-04)~~

~~17.16.104 - Section 324-4 amended.~~

~~(Repealed by O-28-04)~~

~~17.16.106 - New Section 384-28.~~

~~(Repealed by O-28-04)~~

17.16.108 - Section 410-16 410-36 amended.

A. Section 410-16-G 410-36 B of the National Electrical Code adopted in Section 17.16.010 is deleted and the following is substituted:

(B). **Suspended Ceilings.** All lay in light fixtures will require independent suspension to insure that the fixture will not drop more than nominally two or three inches when the framing members no longer provide the support. The minimum wire size shall be 12 #SWG firmly secured to the building structure and the light fixture. All two by four foot (2' × 4') lay in fixture and two by four foot (2' × 4') lay in fixtures shall be supported at opposite corners. Recess lighting and exit lighting shall have at least one support wire installed.

17.16.110 - Electrical Code violation.

A. A person who violates any section of this chapter or who commences any electrical installations or performs any electrical work without prior receipt of a required electrical permit is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council.

B. Electrical installations completed without a permit as required by this chapter, not in conformity with the Electrical Code, shall be removed by the person responsible when ordered to do so by the enforcing officer.

C. It is unlawful to use or allow the use of, or to supply current for an electrical system in a building or structure, unless the required certificate of inspection and permit have been issued by the Code Official.

D. It is unlawful to ignore or deface a stop work order issued by the Code Official.

17.16.120 - Emergency correction or abatement.

A. Whenever in the judgment of the Director of Neighborhood and Environmental Programs or his or her designee, an emergency exists which requires immediate action to protect the public safety or welfare, an order may be issued without notice, conference or hearing, directing the owner, occupant, operator, agent or licensee to take whatever action is appropriate to correct or abate the emergency.

B. All costs incurred for the emergency action or abatement shall be recovered from the owner in the form of a lien on the property and collectible in the same manner as delinquent taxes.

17.16.130 - Electrical license—Required.

A. No person shall do work as a master general, master limited or restricted electrician without first applying for and receiving a license from the State of Maryland or other approved Maryland jurisdictions. Licenses submitted from other jurisdictions will be subject to review and approval by the Code Official.

B. No person shall do work in the City without first applying for and obtaining an electrical contractors license from the Director of Neighborhood and Environmental Programs or his or her designee. The license fee shall be established by resolution of the City Council. Applicant shall be a member, in good standing, with the State and or local Board of Electrical Examiners.

C. Electrical License—Use by Others. No person in the electrical business shall allow that person's name to be used by any other person, directly or indirectly, to obtain a permit, send in notices, make returns or to do any work under that person's license.

D. Insurance—Required. No person shall do work as a master or restricted electrician without first submitting evidence that their insurance or surety required by Maryland State law is current and on file with the Department of Neighborhood and Environmental Programs.

E. Issued licenses are not transferable for any reason.

F. The director or his or her designee may suspend or revoke a license issued for any irregularities or for unsafe or unworkmanlike installation, license violations, misrepresentation of facts or for any violations of the Electrical Code and this chapter.

17.16.140 - Enforcement responsibility.

The enforcement of the Electrical Code is the duty of the Director of Neighborhood and Environmental Programs or his or her designee.

17.16.150 - Enforcement and administration.

The National Electrical Code, 2002 2008 Edition, Annex H Article 80, published by the National Fire Protection Association (NFPA #80), a copy of which is on file, is adopted as the administration and enforcement element of the Electrical Code of the City of Annapolis with the following amendments:

A. Strike paragraphs (A) through (F) of Section 80.15.

B. In Subsection (G) of Section 80.15, second line, strike "Board" and insert "Building Board of Appeals."

C. In lines 1 and 2 of paragraph (A)(2) of Section 80.19, strike "or otherwise readily

accessible" and in lines 2 and 3, strike "or carried by the permit holder as specified by the authority having jurisdiction."

D. In lines 7 through 9 of paragraph (F)(3) of Section 80.19, strike "or until _____ days have elapsed from the time of such notification, provided that on" and insert ". On."

E. In the title of Section 80.23, strike ", Penalties" and strike in its entirety paragraph (B) of Section 80.23.

F. In line 1 of paragraph (C) of Section 80.25, strike the underlining and insert "30 days."

G. In lines 10 and 11 of paragraph (E) of Section 80.25, strike "or a longer period as may be specified by the Board, the Board" and insert ". The Chief ~~Electrical Inspector~~ Code Official."

H. In lines 7 through 13 of paragraph (A) of Section 80.27, strike from "Board, except that any..." and all that follows through "in the same territory." and insert "State Electrical Board."

I. In paragraph (B)(3) of Section 80.27, Inspector's Qualifications, strike the underlining and insert "the Charter and Code of Annapolis."

J. In paragraph (B)(4) of Section 80.27, Inspector's Qualifications, strike the underlining in line 1 and insert "ten" and in the second line, strike "Electrical Inspector or _____ years."

K. In Section 80.27, Inspector's Qualifications, strike paragraph (D) in its entirety.

L. In Section 80.29, Liability for Damages, strike the underlining and insert " City of Annapolis."

Chapter 7.16 – MECHANICAL CODE

17.18.020 - International Mechanical Code—Adopted.

The 2006 **2009** International Mechanical Code published by the International Code Council, Inc., a copy of which is on file, is adopted as the Mechanical Code for the City of Annapolis with the following amendment:

In Section 603.9 at end of paragraph after "installation instructions." add the following: "All registers, grills and diffusers installed in suspended ceilings require independent supports. The minimum support wire shall meet or exceed 12# S.W.G. firmly secured to the building structure."

Chapter 17.24 - GAS CODE

17.24.040 - NFPA standards adopted.

The National Fuel Gas Code as set forth in NFPA Standards 54 ANSIZ 223.1-4999 **2009** Edition is adopted as the code for the installation of fuel gas piping systems, fuel gas utilization equipment and related accessories for the City of Annapolis.

Chapter 7.28 – PLUMBING CODE

17.28.020 - National Standard Plumbing Code—Adopted.

The 2003 2009 National Standard Plumbing Code Illustrated published by the Plumbing-Heating-Cooling Contractors—National Association is hereby adopted as the Plumbing Code of the City of Annapolis with the following amendments:

~~A. Page 9, add language to Principle No. 7:~~

A. All other new or substantially remodeled structures for human habitation or use shall be equipped with sufficient sanitary facilities. For commercial structures, sanitary facilities shall be located on all floors. Sanitary facilities shall be accessible within the building interior to the users within the working space or public hallways or corridors. Sanitary facilities shall not be shared between tenants spaces.

~~B. Page 137, add language to 5.4.2: Cleanouts in private or public vehicle driveways.~~

~~4. B.~~ Whenever possible, cleanouts shall not be located within private or public driveways subject to vehicle traffic. If required, provide heavy duty cleanout to meet city standards, subject to approval.

~~C. Page 147, 6.1.1 and 6.1.2: strike in its entirety and substitute the following:~~

~~6.1.1 Design~~

~~4. C.~~ A grease interceptor is required in restaurants, hotel kitchens, bars, cafeterias or restaurants, clubs, or other establishments that have food preparation, (except in special cases as may be determined by the administrative authority Wastewater Pretreatment Coordinator). The size of the interceptor shall be determined by the administrative authority Wastewater Pretreatment Coordinator but not less than a minimum of 500 gallon size and shall be located outside accessible for cleaning and pumping unless approved otherwise by the administrative authority Wastewater Pretreatment Coordinator. All waste except toilet room waste shall discharge through the interceptor. A minimum of one 6 inch cast iron sampling cleanout shall be provided at the property line.

~~2. D.~~ Oil and sand interceptors shall be provided when, in the opinion of the administrative authority Wastewater Pretreatment Coordinator, they are necessary for the proper handling of oily waste, flammable waste, sand, solids and other ingredients harmful to the building drainage system, the public sewer or sewerage treatment plant or process.

~~3. E.~~ Interceptors shall be installed in accordance with City specifications.

~~D. On page 148, strike Section 6.2.1 in its entirety and substitute the following:~~

~~6.2.1 Sizes Up to 50 GPM~~

~~4. F.~~ Commercial dishwashers may need to be modified as to not affect the operation of the interceptor as approved by the administrative authority Wastewater Pretreatment

Coordinator.

2. ~~G. New~~ All commercial food waste grinders are prohibited; but when currently existing must be routed through the interceptor. If effluent is unable to meet the environmental requirements of the sewer the food waste grinder must be removed in its entirety.

3. ~~H.~~ Prohibited discharge through interceptor are water cooled equipment.

~~E. On page 193, at end of Section 9.1.5.a. add the following:~~

~~I.~~ Food and drink establishments—provide hot and cold water frostproof hose bibbs at all garbage can, trash, dumpster and food and trash compactor areas.

~~F. On page 87, at the end of Section 3.4.1, add the following:~~

~~All potable water piping shall be copper L tubing or greater underground, copper M tubing or greater above grade. See Utility Code for ductile iron for large water service piping.~~

~~G. On page 88, at the end of each of the sections 3.5.1, 3.5.2, and 3.5.3, add the following language:~~

J. On page 87, at the end of Section 3.4.1, add the following:

Waste piping, building sewer, drain and vent piping below grade must be cast iron bell and spigot type with long turn fittings service weight or greater, or polyvinyl chloride PVC schedule 40 or heavier or with long-term fittings, or hard temper copper tube type DWV or heavier. When ferrous threaded joints are used underground, they shall be coal-tar coated or equivalent approved protection when installed. The foregoing notwithstanding, waste piping, building sewer, drain, and vent piping below grade with less than five (5) feet of cover in heavy traffic areas, must be cast iron bell and spigot type service weight or greater.

~~H. On page 226, in Section 10.12.4.d., add the following language:~~

K. Each dwelling unit shall have an accessible valve to shutoff the water supply to the dwelling unit without stopping the supply in other dwelling units from outside the dwelling, unless approved otherwise by the Code Official.

~~I. On page 240, in Section 10.15.9.a., add the following language:~~

L. Provide safety/drip pans under all washers, water heaters and above ceiling mounted air conditioners to collect possible condensation overflow or water leakage. Hook up primary and secondary condensate lines and discharge to outside at grade when possible. The discharge lines to the pans shall be 1 ½ inch diameter.

~~j. On page 173, in Section 7.15.2, add the following language:~~

1
2 **M.** Air gap fitting shall be required on all residential type dishwashing machines unless
3 preapproved by the administrative authority.
4

5 ~~K. On page 215, in Section 10.5.6.b., strike the period and add the following language:~~
6
7 ~~unless otherwise required to be more frequently by the administrative authority.~~
8

9 ~~L. On page 215, in Section 10.5.6., add the following subsections:~~
10

11 ~~g.~~ **N.** Any time that repairs to backflow prevention assemblies are deemed necessary,
12 whether through annual or required testing, or routine inspection by consumer or by the
13 City of Annapolis, these repairs must be completed within a specified time in
14 accordance with the degree of hazard, not to exceed: health hazard 7 days and non
15 health hazard 21 days.
16

17 ~~h.~~ **O.** All backflow assembly test equipment must be approved by the City. All test
18 equipment shall be checked for accuracy annually (at minimum) and the tester may be
19 required to submit a certificate of calibration to be filed with the City.
20

21 ~~i.~~ **P.** Knowingly making any false statement on any report or other document required
22 by this chapter is subject to enforcement in accordance with this chapter.
23

24 ~~M. On page 140, in Section 5.4.6.b., add the following language:~~
25

26 **Q.** Property line clean out must be cast iron (service weight or greater) at finish grade
27 level. At base of the clean out riser where connected to building sewer, property line
28 clean out must be encased in concrete of at least eight (8) inches or greater.
29

30 **17.28.040 - Plumbing Code—Conflicting provisions.**

31

32 In the event of any inconsistencies between the provisions of the 2003 **2009** National
33 Standard Plumbing Code Illustrated and the City Code, the more stringent shall govern.
34

35 **17.28.042 - Buildings more than three stories.**

36

37 Plastic piping shall be prohibited for use in buildings greater than three stories **except**
38 **single family dwellings.**
39

40 **Chapter 17.40 – RESIDENTIAL HOUSING STANDARDS INTERNATIONAL** 41 **PROPERTY MAINTENANCE CODE** 42

43 **17.40.265 - Property Maintenance Code.**

44

45 A. The International Property Maintenance Code 2006 **2009** as published by the
46 International Code Council, Inc. is adopted as the Property Maintenance Code of the
47 City of Annapolis in the State of Maryland for the control of buildings and structures with
48 the following amendments:

- 1
- 2 1. In Section 101.1 for "[NAME OF JURISDICTION]" insert "City of Annapolis"
- 3 2. In Section 103.5 for "[APPROPRIATE SCHEDULE]" insert "Fees established by
- 4 resolution of the City Council"
- 5 3. In Section 304.14 for "[DATES IN TWO LOCATIONS]" insert April 15th - October
- 6 31st"
- 7 4. In Section 602.3 for "[DATES IN TWO LOCATIONS]" insert April 15th - October 31st"
- 8 5. In Section 602.4 for "[DATES IN TWO LOCATIONS]" insert April 15th - October 31st"
- 9 6. Strike the entire Section 404.5 Overcrowding and substitute Section 17.40.460 of the
- 10 Code of the City of Annapolis.
- 11 B. In the event of any inconsistencies between the provisions of the International
- 12 Property Maintenance Code and the City Code, the more stringent shall govern. A copy
- 13 of the International Property Maintenance Code is on file in the Department of
- 14 Neighborhood and Environmental Programs.

15
16 Appendix A – Boarding standard shall be adopted as the City of Annapolis standard

17 18 **Chapter 17.44 – RENTAL UNIT LICENSES**

19 20 **~~17.44.070 – Renewal.~~**

21
22 (Repealed by O-1-05)

23 24 **~~17.44.080 – Display.~~**

25
26 ~~Each license shall be displayed in a conspicuous place within the commonways of the~~
27 ~~single rental dwelling unit, multiple dwelling, bed and breakfast home, roominghouse, or~~
28 ~~bargehouse, and the license for an apartment house with more than one building shall~~
29 ~~be displayed in the main office. No license is transferable to another person, or to~~
30 ~~another unit, multiple dwelling, bed and breakfast home, roominghouse, or bargehouse.~~
31 ~~Every person holding an operating license shall give notice in writing to the Director of~~
32 ~~Public Works within twenty four hours after having transferred or otherwise disposed of~~
33 ~~the legal control of any licensed dwelling, roominghouse, or bargehouse. The notice~~
34 ~~shall include the name and address of the person or persons succeeding to the~~
35 ~~ownership or control of the unit, multiple dwelling, bed and breakfast home,~~
36 ~~roominghouse, or bargehouse.~~

37 38 **~~17.44.100 – Revocation hearing before the Director of Public Works.~~**

39
40 (Repealed by O-38-95)

41
42
43
44 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
45 **ANNAPOLIS CITY COUNCIL** that this Ordinance shall take effect from the date of its
46 passage.

47
48 **ADOPTED** this 8th day of November, 2010.

1
2 **ATTEST:**

THE ANNAPOLIS CITY COUNCIL

3
4
5
6 Regina C. Watkins-Eldridge, MMC
7 **City Clerk**

BY: JOSHUA J. COHEN, MAYOR

8
9
10
11
12
13
14

EXPLANATION:

Highlighting indicates matter added to existing law.
~~Strike Out indicates matter deleted from existing~~
law.
Underlining indicates amendments.

Policy Report

Ordinance O-21-10

Comprehensive Revision to Building, Electrical, Gas, Mechanical and Plumbing Codes

The proposed ordinance provides a comprehensive revision to Title 17 of the Annapolis City Code. The building, electrical, gas, mechanical, and plumbing codes are revised with updated references to the 2008 and 2009 editions of industry standard texts; local references and amendments are revised so as to track the new editions. Additionally, revisions occur throughout the Title to reflect altered policy and enforcement which have been adopted the Department of Neighborhood and Environmental Programs.

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sbzirkle@annapolis.gov.